

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

DERWIN WADE HILL,)	No. CV-F-09-121 OWW
)	(No. CR-F-02-5368 OWW)
)	
Petitioner,)	ORDER PURSUANT TO NINTH
)	CIRCUIT REMAND DECLINING TO
vs.)	ISSUE CERTIFICATE OF
)	APPEALABILITY AND DIRECTING
)	CLERK OF COURT TO SERVE
UNITED STATES OF AMERICA,)	ORDER ON NINTH CIRCUIT
)	
)	
Respondent.)	
)	
)	

Pursuant to a Ninth Circuit remand, no certificate of appealability shall issue in connection with Petitioner's appeal from the Memorandum Decision and Order denying Petitioner's motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. Petitioner has not made a substantial showing of the denial of a constitutional right in any of the claims raised in Petitioner's motion. No issue debatable among jurists of reason is presented.

///

///

1 IT IS SO ORDERED.

2 **Dated: June 23, 2009**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE